

**BEFORE THE TENNESSEE REGULATORY AUTHORITY AT**

**NASHVILLE, TENNESSEE**

**October 5, 2001**

<b>IN RE:</b>	)	
	)	
<b>PETITION FOR APPROVAL OF A CMRS</b>	)	<b>DOCKET NO. 01-00575</b>
<b>INTERCONNECTION AGREEMENT</b>	)	
<b>NEGOTIATED BY UNITED TELEPHONE-</b>	)	
<b>SOUTHEAST, INC. AND NTCH-ET, INC. AND</b>	)	
<b>NTCH-WEST TENN, INC. D/B/A</b>	)	
<b>CLEARTALK PURSUANT TO SECTIONS 251</b>	)	
<b>AND 252 OF THE TELECOMMUNICATIONS</b>	)	
<b>ACT OF 1996</b>	)	

---

**ORDER APPROVING INTERCONNECTION AGREEMENT (CMRS)**

---

This matter came before the Tennessee Regulatory Authority (the "Authority") upon the Petition for approval of the Interconnection Agreement (the "Agreement") negotiated by and between United Telephone-Southeast, Inc. ("United") and NTCH-ET, Inc. and NTCH-WEST TENN, Inc. d/b/a as Cleartalk ("Cleartalk"), a commercial mobile radio service ("CMRS") provider. The Petition for approval of the Agreement came before the Authority pursuant to 47 U.S.C. §§ 251 and 252.

The Agreement was considered at a regularly scheduled Authority Conference held on August 7, 2001, in Nashville, Tennessee before Chairman Sara Kyle, Director H. Lynn Greer, Jr., and Director Melvin J. Malone. The Authority has jurisdiction over public utilities pursuant to Tenn. Code Ann. § 65-4-104 *et seq.* Based upon the Petition, the record in this matter, and the standards for review set forth in 47 U.S.C. §§ 251-252, the Directors unanimously approved the Agreement and made the following findings and conclusions:

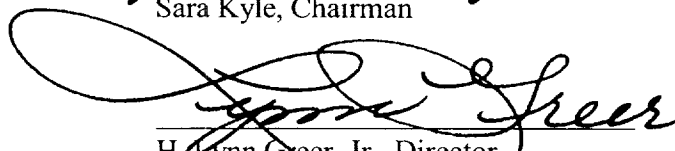
- 1) The Agreement is in the public interest as it provides consumers with alternative sources of telecommunications services within United's service area;

- 2) The Agreement is not discriminatory to telecommunications service providers that are not parties thereto;
- 3) No party has sought intervention in this docket;
- 4) The Agreement satisfies the standards for approval of negotiated interconnection agreements set forth in 47 U.S.C. §§ 251 and 252;
- 5) This is a CMRS agreement and not an agreement between competing carriers;
- 6) By approving this Agreement, the Authority does not make a determination that the provision of wireless service to both business and residential customers within the BellSouth service area rises to the level of facilities-based competition under 47 U.S.C. § 271(c)(1)(A); and
- 7) The Agreement is reviewable by the Authority pursuant to 47 U.S.C. §§ 251 and 252 and Tenn. Code Ann. § 65-4-104 *et seq.*

**IT IS THEREFORE ORDERED THAT:**


The Commercial Mobile Radio Service Interconnection Agreement negotiated between United Telephone-Southeast, Inc. and NTCH-ET, Inc. and NTCH-WEST TENN, Inc. d/b/a Cleartalk is approved and is subject to the review of the Authority as provided herein.

  
Sara Kyle, Chairman

  
H. Lynn Greer, Jr., Director

  
Melvin J. Malone, Director

ATTEST:

  
K. David Waddell, Executive Secretary